

Filed

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:

Lawrence Scott Schumaker,

Bankruptcy No. 08-01146 JF
Chapter 7
Judge Jerry A Funk

FIA Card Services, N.A. (f.k.a. MBNA America
Bank, N.A.),

Plaintiff,

vs.

Lawrence Scott Schumaker,

Defendant.

ADV. NO. *08-ap-146*

ORDER AND JUDGMENT OF NONDISCHARGEABILITY

Based upon the Stipulation of the Parties, IT IS HEREBY ORDERED, ADJUDGED AND
DECREED:

1. The sum of \$1,800.00 owed by the Defendant to Plaintiff is found to be nondischargeable and Plaintiff is granted judgment against Defendant in this amount.
2. The non-discharged sum of \$1,800.00 shall be paid as follows: **the sum of \$100.00 per month, each month for 18 months, commencing 07/01/2008.** The remaining payments shall be due on the same day of each month thereafter. While not in default, such principal shall not bear interest.

1 3. Payments are to be made to:

2 Accounts Receivable
3 Attn: FIA Card Services, N.A. (f.k.a. MBNA America Bank, N.A.)
4 WEINSTEIN & RILEY, P.S.
5 P.O. Box 3978
6 Seattle, WA 98124
7 INCLUDE ACCOUNT NUMBER ON PAYMENTS

8 Plaintiff or its agents may send monthly bills and invoices as a courtesy reminder to
9 Defendant.

10 4. In the event Defendant defaults in payments, Plaintiff shall be entitled to declare the entire
11 remaining balance, plus any interest, immediately due and payable, together with Plaintiff's
12 reasonable attorneys' fees and costs incurred.

13 5. If Defendant fails to make any payment as agreed, the remaining principal balance shall bear
14 interest at twelve percent (12%) per annum until paid or otherwise satisfied. However, no
15 interest will accrue so long as payments are kept current.

16 6. Plaintiff will refrain from pursuing its rights under this agreement so long as Defendant
17 continues to make payment on a regular, timely basis. If Defendant defaults, however,
18 Plaintiff shall have the right to pursue any legally available remedy, including (but not
19 limited to) garnishment of wages or bank accounts, and the filing of liens, without further
20 notice.

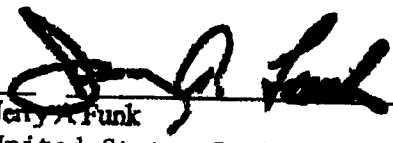
21 ///

22 ///

23 ///

1 7. The parties shall pay their own attorney fees and costs in this matter.


2 Dated: July 17, 2008

3
4 
5 Jerry A. Funk
6 United States Bankruptcy Judge

7 Submitted by: 

8
9 Attorney for Plaintiff
10 Max Story 527238
11 Collins & Story PA
233 East Bay Street, Suite 920
Jacksonville, FL 32202
904-355-0805

6/9/08
Date

12
13 
14 Attorney for Defendant
15 Ronald F Anderson
16 Attorney At Law
1326 S Ridgewood Ave Suite 11
Daytona Beach, FL 32114

6-5-2008
Date

17
18 cc: Max Story
19 Ronald F Anderson
20
21
22
23

CLERK'S CERTIFICATE OF MAILING

I certify that I sent a copy of the attached Judgment of Nondischargeability to the following parties via first-class mail, postage prepaid:

Max Story
Collins & Story PA
233 East Bay Street, Suite 920
Jacksonville, FL 32202

Ronald F Anderson
Attorney At Law
1326 S Ridgewood Ave Suite 11
Daytona Beach, FL 32114

Dated: May ____, 2008

Deputy Clerk